IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 18105 of 2004

Between:

Pulla Raja Goud, S/o. Narsimulu,
Member Toddy Tapers Co-operative Society, Metpally (V), Karimnagar District.

..... PETITIONER

AND

1 The Superintendent Prohibition & Excise, Karimnagar District.
2 Poodari Narsa Goud, S/o. ChinnaGoud, President,
Tapers Co-op Society, Metpally, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction, more particularly one in the nature of Writ of Mandamus declaring the inaction of the 1st respondent herein in not taking any action on my representations dated 19-3-2004 and 01-06-2004 as illegal, arbitrary and consequently direct the 1st respondent herein to take appropriate action against the 2nd respondent therein as per law, after conducting due enquiry basing on my representations.

Counsel for the Petitioner: MR.J.SREENIVASA RAO

Counsel for the Respondent No.1: GP FOR PROHIBITION & EXCISE

Counsel for the Respondent No.2: ---

The Court at the admission stage made the following:

ORDER:

The petitioner, who claims to be a member of Toddy Tappers Cooperative Society, Metpally, alleges that the second respondent, who is the President of the said Society, is not eligible for the membership of the Society. It is also alleged that the second respondent has been harassing other members of the Society by dictating terms. In the circumstances, it is stated that the petitioner made representations dated 19.03.2004 and 01.06.2004 bringing the said facts to the notice of the first respondent and requesting to take necessary action. The only grievance of the petitioner is that the first respondent failed to take any action so far on the basis of the complaints made by him.

Heard the learned counsel for the petitioner and the learned Government Pleader for Prohibition and Excise appearing for the first respondent.

It is not in dispute that the first respondent is the competent authority to enquire any dispute between the members of a Cooperative Society. In the circumstances, without expressing any opinion on the merits of the case, I deem it appropriate to dispose of the writ petition with a direction to the first respondent to consider the representations dated 19.03.2004 and 01.06.2004 and to pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order after affording due opportunity to all the parties concerned.

Accordingly, the writ petition is disposed of. No costs.

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06.10.2004

Note: Furnish CC in three days

(b/o)

VGB

To

1 The Superintendent Prohibition & Excise, Karimnagar District.

2 2CCs to the Government Pleader for Prohibition & Excise, High Court Buildings, Hyderabad (OUT)

3 2CD copies